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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Berkowitz et al.	Examiner:	Unassigned
Serial No.:	09/912,615	Group Art Unit:	2183
Filed:	July 24, 2001	Docket:	40062.93US01
Title:	SYSTEM AND METHOD FOR BACKING UP AND RESTORING DATA		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the paper(s), as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on January 23, 2002.

By: 

John E. Whitaker

Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement
- ☒ Form 1449 (2 references)
- ☒ Return postcard

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Technology Center 2100

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
206.342.6200

By: 

Name: John E. Whitaker

Reg. No.: 42,222

JEW/aj





A/N 09/912,615

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Berkowitz et al.	Examiner:	Unassigned
Application No.:	09/912,615	Group Art Unit:	2183
Filed:	July 24, 2001	Docket No.:	40062.0093US01
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By: 

John E. Whitaker

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
Washington, D.C. 20231

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FEB 22 2002
Technology Center 2100

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

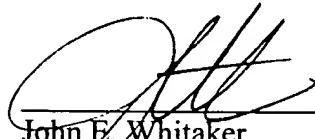
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD


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